

PATENT MAINTENANCE  
DIVISION

2008 OCT -7 AM 11: 18

MS 16  
Docket No.: 0020-5615PUS1  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Masaya TANAKA

Application No.: 10/519,941

Confirmation No.: 5052

Filed: December 29, 2004

Art Unit: 1614

For: CARBON DIOXIDE  
EXTERNAL  
ADMINISTRATION DEVICE

Examiner: C. T. Ostrup

ATTENTION: Refund Section  
Accounting Division  
OFFICE OF FINANCE

REQUEST FOR A REFUND

MS 16  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The following documentation and remarks are respectfully submitted in connection with the above-identified application.

DOCUMENTATION

Attached hereto is:

☐ a copy of written assertion of small entity status filed on even date herewith under separate cover; and/or

Birch, Stewart, Kolasch & Birch, LLP

MTC ADM/MTC/mrh

1801

Application No.: 10/519,941

Docket No.: 0020-561SPUS1

☒ a copy of an executed Statement Claiming Small Entity Status (37 C.F.R. § 1.9(f) and 1.27(a)(1)) - Small Business Concern filed on even date herewith under separate cover.

REMARKS

Pursuant to 37 C.F.R. § 1.28(a), applicants hereby request a refund of 50% of the Filing Fee. Small entity status has been established by the filing of a written assertion/statement on October 6, 2008.


Small entity applicants may now file the necessary Statement within three (3) months of the date of payment of any particular fee and request a refund. The present application qualifies for the reduced fees as implemented by the U.S. Patent and Trademark Office on October 1, 1982, and further amended on January 20, 1983 and September 8, 2000.

A Request for Continued Examination (RCE) was filed on September 2, 2008 with a filing fee of \$810.00. It is respectfully requested that the excess fee of \$405.00 be credited to Deposit Account No. 02-2448.

Favorable action on the present Request is respectfully requested.

Dated:

Respectfully submitted,

By   
MTC Andrew D. Meikle  
Registration No.: 32,868  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant

Docket No.: 0020-5615PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Masaya TANAKA

Application No.: 10/519,941

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Filed: December 29, 2004

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For: CARBON DIOXIDE EXTERNAL  
ADMINISTRATION DEVICE

Examiner: C. T. Ostrup

**ASSERTION OF SMALL ENTITY STATUS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The above-identified application qualifies for small entity status. This written assertion of small entity status should satisfy the requirements of 37 C.F.R. § 1.27.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated:

Respectfully submitted,

By 

MTZ

Andrew D. Meikle

Registration No.: 32,868

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Attorney for Applicant

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	10519941			
<b>Filing Date:</b>	29-Dec-2004			
<b>Title of Invention:</b>	Carbon dioxide external administration device			
<b>First Named Inventor/Applicant Name:</b>	Masaya Tanaka			
<b>Filer:</b>	Andrew Duff Meikle/Marianne Haller			
<b>Attorney Docket Number:</b>	0020-5615PUS1			
Filed as Large Entity				
<b>U.S. National Stage under 35 USC 371 Filing Fees</b>				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				

Adjustment Date: 10/09/2008 HDESTA1  
 09/03/2008 INTEFSM 0000433 022448  
 01 FC:1801 310.00 CR

10/09/2008 HDESTA1 00000042 022448 10519941  
 01 FC:2801 405.00 DA

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
Request for continued examination	1801	1	810	810
<b>Total in USD (\$)</b>				<b>810</b>